

REMARKS

I. Status of the Application and Summary of the Office Action

This paper is filed in response to the Office Action dated September 25, 2003 and the Interview Summary dated March 12, 2004. Reconsideration of this application is respectfully requested. Claims 1-41 are currently pending in this application. We confirm claims 1-39 are presented for examination, and claims 40-41 have been withdrawn from consideration in response to the restriction requirement. Claims 1-39 remain under consideration, and of these claims, 1, 31, 32, 33, and 38 are independent. There are no new claims.

On page 4 of the Office Action, the Examiner requests that the Applicant correct some typographical errors in the specification, noting a mistake on page 7 of the specification. Applicant has proofread the disclosure and amended paragraphs containing such errors. On page 4 of the Office Action, the Examiner notes that the Draftsperson objected to the drawings submitted 12/20/01 under 37 C.F.R. §1.84. Applicant believes the objection is moot in view of the amended drawings submitted in January 2002, which appear in the published version of the application.

The Office Action rejects claims 1-2, 7-8, 10, 12, 15-22, 31-33, and 38-39 under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent 6,038,560 (Wical). The Office Action rejects the remaining claims under 35 U.S.C. § 103(a) as being unpatentable over Wical in view of various combinations of U.S. Patent 6,385,602 (Tso et al.), U.S. Patent 6,029,195 (Herz et al.), and U.S. Patent 5,950,189 (Cohen et al.).

Applicant thanks the Examiner for the telephone interview conducted on March 10, 2004, during which the pending application, the claims, and Wical were discussed. Using examples from the specification, Applicant discussed results obtained from following the steps described in claim 1, as compared to following the principles and teachings in Wical.

II. Discussion

At the Examiner's suggestion, Applicant has reworded most of the independent claims to replace the term "intersection" with more descriptive language that makes the claims easier to

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read. Applicant also has made other minor changes to make the claims easier to read. Applicant does not intend these amendments to narrow the claims.

As discussed during the interview, the claims as a whole, and the distance function described in the claims, are not disclosed or suggested by Wical or the other art of record. Amended claim 1, for example, includes obtaining a result based on applying a distance function to a query having a first set of one or more properties and an item in a collection having a second set of one or more properties. Obtaining a result includes determining a third set of properties common to the first set of one or more properties and the second set of one or more properties. The distance function determines a distance between the query and an item in the collection based on the number of items in the collection that are associated with all of the properties in the third set of properties. Wical does not disclose or teach these steps.


III. Conclusion

Claims 1-39 are believed to define allowable subject matter. Reconsideration is earnestly solicited. If there are any remaining issues, the Examiner is urged to contact the undersigned at the telephone number listed below.

The Commissioner is authorized to charge Deposit Account No. 08-0219 the fee of \$475.00 to cover the cost of the requested three-month extension of time. No other fees are believed to be due in connection with this paper. However, please charge any fees, or credit any overpayment, that may be due in connection with this paper to Deposit Account No. 08-0219.

Respectfully submitted,

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